


12 Rec'd PCT/PTO 24 FEB 1999

| | | | |
|---|---|--|---|
| FORM PTO-1390 (REV 5-93) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY DOCKET NO. P8172-9005 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | | DATE: February 24, 1999 |
| | | | U.S. APPLN. NO. (IF KNOWN, SEE 37 CFR 1.5) 09/147721 |
| INTERNATIONAL APPLICATION NO. PCT/US97/15109 | INTERNATIONAL FILING DATE 29 August 1997 | PRIORITY DATE CLAIMED 30 August 1996 | |
| TITLE OF INVENTION: METHOD FOR PHYTOMINING OF NICKEL, COBALT AND OTHER METALS FROM SOIL | | | |
| APPLICANT(S) FOR DO/EO/US: Rufus L. CHANEY; Jay, Scott ANGLE; and Yin-Ming LI | | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. (THE BASIC FILING FEE IS ATTACHED) 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input checked="" type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11. to 16. below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input checked="" type="checkbox"/> Other items or information: PCT Notification of Transmittal of International Preliminary Examination Report Form; PCT Information Concerning Elected Offices Notified of Their Election Form; PCT Demand Form; Form PCT/ISA/220; Form PCT/ISA/210; Form PCT/RO/101; Request for Change under PCT Rule 92^{bis} dated February 23, 1999; Drawings - 10 sheets; 21 references; CHECK NO. 18839 | | | |

| | | |
|--|--|---|
| U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) | INTERNATIONAL APPLICATION NO. PCT/US97/15109 | ATTORNEY DOCKET NO. P8172-9005 DATE: February 24, 1999 |
| 17. <u>XX</u> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO.....\$840.00 International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$670.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).....\$760.00 Neither international preliminary examination fee (37 CFR 1.482) or international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$970.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)\$ 96.00 | | CALCULATIONS PTO USE ONLY |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$760.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than _ 20 _ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | |
| Claims | Number Filed | Number Extra |
| Total Claims | 11 - 20 = | 0 |
| Independent Claims | 2 - 3 = | 0 |
| Multiple dependent claim(s) (if applicable) | | + \$260.00 |
| TOTAL OF ABOVE CALCULATIONS = | | \$760.00 |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28). | | |
| SUBTOTAL = | | \$760.00 |
| Processing fee of \$130.00 for furnishing the English translation later the _ 20 _ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | + |
| TOTAL NATIONAL FEE = | | \$760.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | \$40.00 + |
| TOTAL FEES ENCLOSED = | | \$800.00 |
| | | Amount to be refunded \$ |
| | | Charged \$ |
| a. <u>XX</u> A check in the amount of <u>\$800.00</u> to cover the above fees is enclosed. b. _ Please charge my Deposit Account No. <u>14-1060</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <u>XX</u> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>14-1060</u> . | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | |
| SEND ALL CORRESPONDENCE TO: | | |
| NIKAIDO, MARMELESTEIN, MURRAY AND ORAM Metropolitan Square 655 15th Street, N.W. Suite 330 - G Street Lobby Washington, D.C. 20005-5701 Telephone No. (202) 638-5000 | | |
| | |  Douglas H. Goldhush Reg. No. 33,125 |